



BENSALEM TOWNSHIP

Building and Planning Department
2400 Byberry Road • Bensalem PA 19020
215-633-3644 • FAX 215-633-3653

Exhibit Z-4

Zoning Hearing Board

Appeal Number: _____

Township of Bensalem, Bucks County, Pennsylvania Notice of Appeal

Appeal is hereby made by the undersigned from the action of the Zoning Officer.

Check applicable item(s):

- ☐ Certification of Non-Conforming Use
- ☐ Application for Validity Challenge
- ☐ Administrative Officer in refusing my application for a building permit dated: _____
- ☐ Special Exception
- ☒ Variance from the terms of the Zoning Ordinance of the Township of Bensalem

Appellant Name: 3133 Lincoln Highway, LLC

Address: 8001 Castor Avenue, Suite 137
Philadelphia, PA 19152

Phone No. [REDACTED]

Owner's Name: same as above

Address: _____

Phone No. _____

Attorney Name: Christopher H. Steward, Esquire

Address: 2246 Bristol Pike
Bensalem, PA 19020

Phone No. [REDACTED]

Interest of appellant, if not owners (agent, lessee, etc.): _____

1. Application relates to the following:

Check items if applicable:

- | | |
|---|--|
| <input type="checkbox"/> Use | <input checked="" type="checkbox"/> Lot Area |
| <input type="checkbox"/> Height | <input type="checkbox"/> Yards |
| <input type="checkbox"/> Existing Building | <input type="checkbox"/> Proposed Building |
| <input type="checkbox"/> Occupancy | |
| <input checked="" type="checkbox"/> Other: (describe) | <u>Impervious Surface Coverage and Required Aisle Widths</u> |
| | <u>Percent</u> |

2. Brief description of Real Estate affected:

Tax Parcel Number: 02-001-034

Location: 3133 Lincoln Highway

Lot Size: Approximately 13,000.00 sq. ft.

Present Use: Retail Commercial

Proposed Use: Retail Commercial

Present Zoning Classification: Highway Commercial

Present Improvement upon Land: 1,421 sq. ft.

Deed recorded at Doylestown in Deed Book 5594 Page 1881

3. If this is an appeal to challenge, provide statement and/or basis for challenge to the validity of the zoning ordinance.

4. If this is an Appeal from action of the Zoning Administrative Officer then complete the following:

Date Determination was made: _____

Your statement of alleged error of Zoning Administrative Office: _____

5. Specific reference to section of the Zoning Ordinance upon which application for special exception or variance is based (if special or variance is desired):

Sections 232-409(1), 232-409(2) and 232-586(c)(3)

6. Action desired by appellant or applicant (statement of relief sought or special exception or variance desired):

Appellant desires variances for the lot are, the existing impervious surface coverage and the required aisle width percent.

7. Reasons appellant believes board should approve desired action (refer to section or sections of ordinance under which it is felt that desired action may be allowed, and not whether hardship is (or is not) claimed, and the specific hardship.

Appellant cannot expand the size of the lot. Appellant is not expanding the existing impervious surface coverage. Given the layout of the lot, the required aisle width cannot be achieved in all areas in order to maximize parking.

8. Has previous appeal or application for special exception or variance been filed in connection with these premises?

☐ YES ☒ NO

Specifications of errors must state separately the appellant's objections to the action of the zoning administrative office with respect to each question of law and fact which is sought to be reviewed.

I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

Appellant's or Owner's Signature

Date

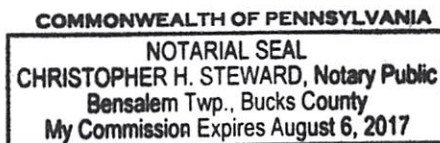
Sworn to and subscribed before me this

12th day of November 2014

Notary Public

My commission expires:

August 6, 2017





BENSALEM TOWNSHIP

Building and Planning Department

Office 215-633-3644 • Fax 215-633-3753

Matthew K. Takita

Director of Building and Planning

2400 Byberry Road • Bensalem, PA 19020

November 13, 2014

Starztech Auto
Kyril Alforov
9443 Lansford Rd
Philadelphia, PA 19114

Project:	Used Automobile Sales Zoning Certification
Project Address:	3133 Lincoln Highway Trevose, PA 19053
Tax Parcel:	02-001-034
Property Owner:	SF 3133 Lincoln Hwy LLC
Permit Status:	Application Denied

Electronic Review Status

Dear Sir/Madam:

A review was conducted on the application for the referenced project pursuant to Chapter 232 ZONING. The attached sheets show what was found during the review and this information is required to complete the permit application for the above referenced project.

The review process utilizes Adobe Acrobat allowing reviewers to make their comments directly on the plan pages. These comments are tracked throughout the review and a printed summary serves as the basis for a rejection on the project until required changes have been made. The attached sheets will show an image of the plan page including its associated comments with connector lines. Only those pages of the plans that require a revision have been generated and included.

You are required to resubmit plans with revisions and will need to burn the **complete** set of plans with revisions to a new disc. Return it to the Building & Planning Department. You are to include a summary list of **all** changes that were made to the plans including those required by the Township. For each change made to the plans, note the sheet number, drawing title, and a brief description of the change made. Please label the disc with the project address, date and revision number to distinguish it from any earlier submissions.

It is our intent that you receive as few rejections as possible and provide reviewers a more efficient method for completing the review by utilizing the comments summary. The print dialog box should include the following summary options:

- Layout - Document and comments with connector lines on single pages
- Font Size - Large font size
- Include - all comments
- **Clear** - the checkbox to NOT include pages containing no comments

It is possible that upon receipt of the revised plans, additional items for compliance may be required. This letter shall serve as formal notice that your permit application has been rejected for said project until such time as the requested information has been provided.

You have the right to appeal this rejection letter. Applications for the Zoning Hearing Board can be obtained from the Building and Planning Department located in the Municipal Building at 2400 Byberry Road, Bensalem.

Respectfully,

[Redacted Signature]
Harold W. Gans, P.E., P.L.S.
Township Engineer


[Redacted Email Address]
Email address


HWG/lva
Enclosures

Copy: [Redacted]

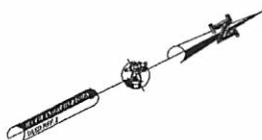
Summary of Comments on Variance Plan

Page: 1

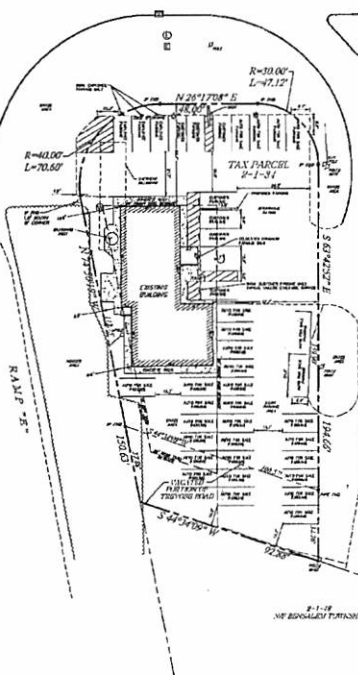
	Number: 1	Author: rgans	Subject: ZONING REJECTION	Date: 11/13/2014 7:56:20 PM
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	Number: 2	Author: rgans	Subject: Text Box	Date: 11/13/2014 8:07:13 PM
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- 1-The existing lot area of 21,559 sf is less than the minimum of 40,000 sf
[Section 232-409(1)]
- 2-Some of the parking lot locations and aisle widths are not in conformance with BTS&LD ordinance requirements
[Section 232-409(1) and the provisions of [Section 232-586]



LINCOLN HIGHWAY (L.R. 8017)
U.S. ROUTE 1
(2011-2012)



NOTES

- The existing lot area of 2.559 of is less than the minimum of 40,000 sq. ft. (Section 232-409(1)).
- Some of the parking lot locations and aisle widths are not in conformance with DTG&LD ordinance requirements (Section 232-409(1) and the provisions of (Section 232-586)).

ZONING INFORMATION

ZONED R-C1
REARWAY COMMERCIAL DISTRICT

REQUIRED	EXISTING
MIN. LOT AREA	12,800 SQ. FT.
MIN. LOT WIDTH	75'
MAX. BUILDING HEIGHT	35'
FRONT YARD	50'
REAR YARD	10'
MAX. BUILDING COVERAGE	25%
MAX. IMPERVIOUS COVERAGE	75%

NOTE: *THE EXISTING NON-COMFORMING CONDITION.

IMPERVIOUS SURFACE BREAKDOWN

LOT SIZE PARCEL 2-1-34	21,339 SQ. FT.
HOUSE	2,200 SQ. FT.
PARKING LOT PAVING	7,500 SQ. FT.
WALKWAYS	1,000 SQ. FT.
STONE AREA	5,639 SQ. FT.
TOTAL EXISTING IMPERVIOUS SURFACE:	76.95% 17,239 SQ. FT.



SURVEY NOTES

- THIS MAP AND SURVEY WERE PREPARED FROM INFORMATION FURNISHED AND/OR OBTAINED TOGETHER WITH EVIDENCE FOR THE RECORD AND IS SUBJECT TO SUCH STATE OF FACT THAT AN ACCURATE TITLE SEARCH MAY REVEAL, INCLUDING ANY EASEMENTS, RESTRICTIONS, RIGHTS OF WAY, OR GRANTS.
- THIS PLAN DOES NOT CERTIFY TO THE LOCATION, BOTH HORIZONTAL AND VERTICAL OF ANY UNDEVELOPPED FEATURES OR STRUCTURES WHICH HAVE NOT BEEN EXPOSED FOR DIRECT MEASUREMENT. LOCATIONS OF SUBSURFACE CONDITIONS SUCH AS UTILITIES, TANKS, DISPOSAL WITNELLS, ETC. ARE NOT REPRESENTED HEREON.
- SURVEY BASED ON FIELD CONDITIONS OBSERVED ABOUT 2014.
- THE SUBJECT PROPERTY IS CURRENTLY ZONED R-C1 (REARWAY COMMERCIAL DISTRICT) AS PER THE ZONING MAP OF BERKLEY TOWNSHIP, ISSUED APRIL 2013.
- THE SUBJECT PROPERTY IS LOCATED WITHIN FLOOD ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) 13000C0010, JUNE COUNTY, PENNSYLVANIA, MAP NUMBER 42017C0010, EFFECTIVE DATE MAY 18, 1995.
- TAX PARCEL #2-1-34
AREA: 6.42 ACRES / 16,347 SQ. FT. (ORIGINAL TRACT)
6.07 ACRES / 13,150 SQ. FT. (TREVORE ROAD VACATION)
0.35 ACRES / 7,697 SQ. FT. (TOTAL)

SURVEY REFERENCES

- PARCEL NO. 34, OF TAX MAP OF TOWNSHIP OF NEWTOWN, MAP NO. 2-1.
- RECORD DEED - NO. 2-1-34 - 3133 LINCOLN HIGHWAY LIMITED PARTNERSHIP TO 3133 LINCOLN HIGHWAY, LLC, DATED NOVEMBER 1, 2007 AND RECORDED BY DUKE COUNTY RECORDER OF DEEDS IN DEED BOOK 1591, PAGE 1481.
- ORDINANCE OF THE TOWNSHIP OF BERKLEY, JUNE COUNTY, PENNSYLVANIA VACATING A PORTION OF TREVOSE ROAD ADJUTING JUNE COUNTY TAX MAP PARCEL #2-1-34 APPROVED AT THE BERKLEY TOWNSHIP COUNCIL MEETING ON TUESDAY NOVEMBER 12, 2007.

VARIANCE REQUESTED

THE APPLICANT REQUESTS THAT THE BERKLEY TOWNSHIP COUNCIL GRANT A VARIANCE FROM THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REQUIREMENTS FOR THE FOLLOWING ITEMS:

SECTION 232-409(1): A VARIANCE IS REQUESTED FROM THE REQUIREMENT THAT THE TOTAL IMPERVIOUS SURFACE COVERAGE SHALL NOT EXCEED 75 PERCENT. THE EXISTING IMPERVIOUS SURFACE COVERAGE IS 76.95 PERCENT. THE APPLICANT IS REQUESTING THAT THEY BE ALLOWED TO USE THE EXISTING IMPERVIOUS SURFACE AREA.

SECTION 232-586(1): A VARIANCE IS REQUESTED FROM THE REQUIRED AISLE WIDTHS. THE EXISTING AISLE WIDTHS ARE 10 FEET. THE APPLICANT IS REQUESTING THAT THEY BE ALLOWED TO USE THE EXISTING AISLE WIDTHS.

BEFORE YOU DIG ANYWHERE



PENNSYLVANIA

800-342-1776

FOR CONSTRUCTION PERMITS AND TO OBTAIN A COPY OF THE STATE STREET MAP, VISIT: www.penn.gov/streetmap

PARKING SPACE BREAKDOWN

NUMBER OF SPACES FOR AUTO SALES	30 SPACES
NUMBER OF SPACES FOR EMPLOYEES	3 SPACES
NUMBER OF SPACES FOR CUSTOMERS	3 SPACES

* TOTAL LOT AREA DESIGNATED TO AUTO SALES = 7,791 SQ. FT.

SECTION 232-586(1)(3) FOR REQUIRED 1 SPACE PER 1,000 SQ. FT. OF LOT AREA

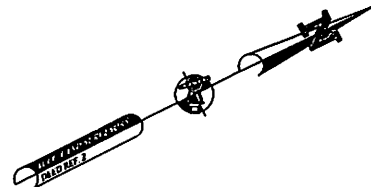


OWNER OF RECORD
3133 LINCOLN HIGHWAY LLC
8001 CASTOR AVENUE
PHILADELPHIA, PA 19152

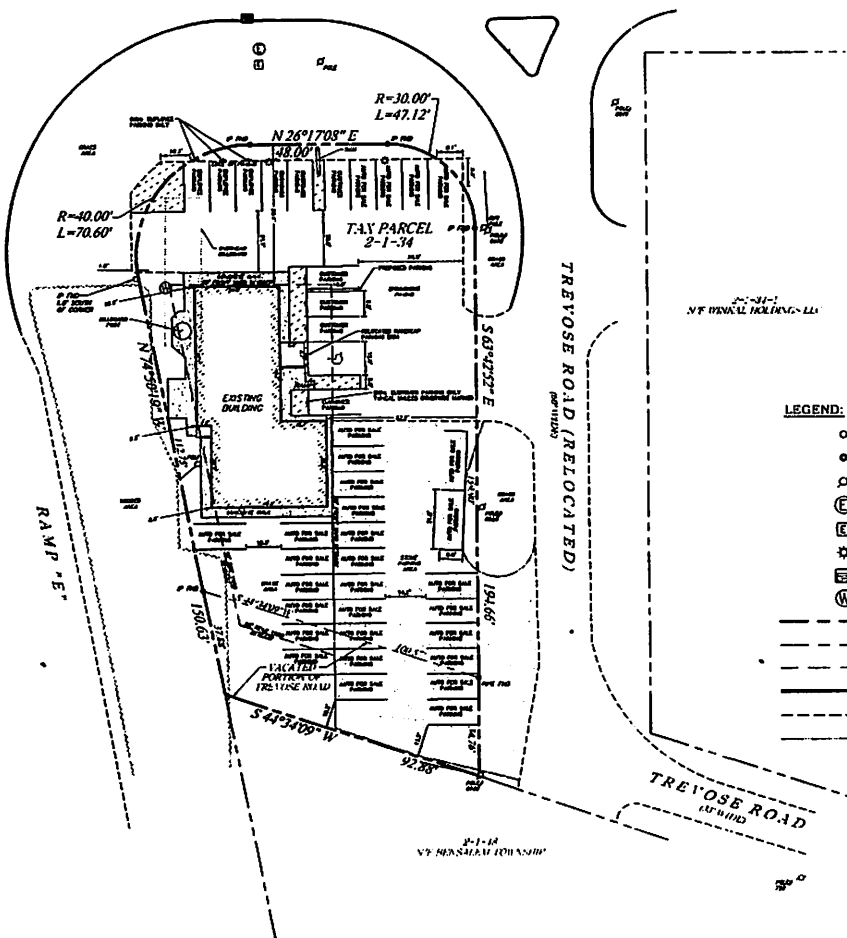
BRIAN T. YORKIEWICZ
PROFESSIONAL LAND SURVEYOR
PA LICENSE NO. 2075195

VARIANCE PLAN
3133 LINCOLN HIGHWAY
BERKLEY TOWNSHIP
2-1-34
STEVEN POSE
PENNSYLVANIA
PROJECT NO. 2012-04-14
SHEET NO. 1 OF 1

DRAWN BY: STY
DATE: 9/22/14
SCALE: 1"=30'
PROJECT NO. 2012-04-14
SHEET NO. 1 OF 1



LINCOLN HIGHWAY (L.R. 8017)
U.S. ROUTE 1
(R.F. 1122)



ZONING INFORMATION

ZONED H-C1
(HIGHWAY COMMERCIAL DISTRICT)

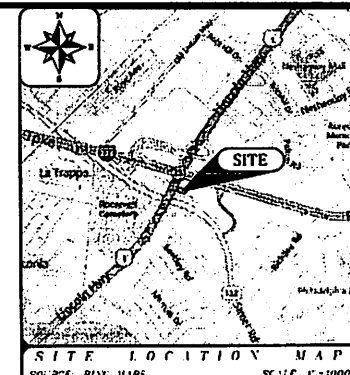
	REQUIRED	EXISTING
MIN. LOT AREA	15,000 SQ. FT.	21,559 SQ. FT.
MIN. LOT WIDTH	75'	116.80'
MAX. BUILDING HEIGHT	25'	43'
FRONT YARD	50'	50.4'
SIDE YARD	10'	8.8'
REAR YARD	25'	51.9'
MAX. BUILDING COVERAGE	35%	12.69%
MAX. IMPERVIOUS COVERAGE	75%	79.95%

NOTE: *PRE-EXISTING NON-CONFORMING CONDITION.

IMPERVIOUS SURFACE BREAKDOWN

LOT SIZE PARCEL 2-1-34:	21,559 SQ. FT.
HOUSE:	2,738 SQ. FT.
PARKING LOT PAVING:	7,569 SQ. FT.
WALKWAYS:	1,235 SQ. FT.
STONE AREA:	5,927 SQ. FT.

TOTAL EXISTING IMPERVIOUS SURFACE: 79.95% 17,237 SQ. FT.



LEGEND:

○	IRON PIN FOUND
●	IRON PIPE FOUND
○	UTILITY POLE
⊙	ELECTRIC MANHOLE
⊙	ELECTRIC BOX
⊙	LIGHT POLE
⊙	INLET
⊙	WATER MANHOLE
---	PROPERTY LINE
---	ADJOINING PROPERTY LINE
---	BUILDING SETBACK LINE
---	CURB LINE
---	EDGE OF PAVING
---	EDGE OF STONE

SURVEY NOTES:

- THIS MAP AND SURVEY WERE PREPARED FROM INFORMATION FURNISHED AND/OR OBTAINED TOGETHER WITH EVIDENCE FOUND ON THE GROUND AND IS SUBJECT TO SUCH STATE OF FACT THAT AN ACCURATE TITLE SEARCH MAY REVEAL, INCLUDING ANY EASEMENTS, RESTRICTIONS, RIGHTS OF WAY, OR GRANTS.
- THIS PLAN DOES NOT CERTIFY TO THE LOCATION, BOTH HORIZONTAL AND VERTICAL OF ANY UNDERGROUND FEATURE OR STRUCTURE WHICH HAS NOT BEEN EXPOSED FOR DIRECT MEASUREMENT. LOCATIONS OF SUBSURFACE CONDITIONS SUCH AS UTILITIES, TANKS, DISPOSAL SYSTEMS, ETC. ARE NOT REPRESENTED HEREON.
- SURVEY BASED ON FIELD CONDITIONS OBSERVED AUGUST, 2014.
- THE SUBJECT PROPERTY IS CURRENTLY ZONED H-C1 (HIGHWAY COMMERCIAL DISTRICT) AS PER THE ZONING MAP OF BENSALEM TOWNSHIP, ISSUED APRIL 2013.
- THE SUBJECT PROPERTY IS LOCATED WITHIN FLOOD ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM), BUCKS COUNTY, PENNSYLVANIA, MAP NUMBER 42017C0439 F, EFFECTIVE DATE MAY 18, 1999.
- TAX PARCEL # 2-1-34
AREA: 0.42 ACRES / 18,367 SQ. FT. (ORIGINAL TRACT)
0.07 ACRES / 3,192 SQ. FT. (TREVOSE ROAD VACATION)
0.49 ACRES / 21,559 SQ. FT. (TOTAL)

SURVEY REFERENCES:

- PARCEL NO. 34, ON TAX MAP OF TOWNSHIP OF NEWTOWN, MAP NO. 2.1.
- RECORD DEED - NO. 2-1-34 - 3133 LINCOLN HIGHWAY LIMITED PARTNERSHIP TO 3133 LINCOLN HIGHWAY, L.L.C., DATED NOVEMBER 9, 2007 AND RECORDED IN BUCKS COUNTY RECORDER OF DEEDS IN DEED BOOK 5594, PAGE 1881.
- ORDINANCE OF THE TOWNSHIP OF BENSALEM, BUCKS COUNTY, PENNSYLVANIA VACATING A PORTION OF TREVOSE ROAD ABUTTING BUCKS COUNTY TAX MAP PARCEL #2-1-34 APPROVED AT THE BENSALEM TOWNSHIP COUNCIL MEETING ON TUESDAY NOVEMBER 12, 2002.

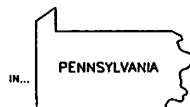
VARIANCE REQUESTED:

THE APPLICANT REQUESTS THAT THE BENSALEM TOWNSHIP COUNCIL GRANTS A VARIANCE FROM THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REQUIREMENTS FOR THE FOLLOWING ITEMS:

SECTION 232-409 (2): A VARIANCE IS REQUESTED FROM THE REQUIREMENT THAT THE TOTAL IMPERVIOUS SURFACE COVERAGE SHALL NOT EXCEED 75 PERCENT. THE EXISTING IMPERVIOUS SURFACE COVERAGE IS 79.95%. THE APPLICANT IS REQUESTING THAT THEY BE ALLOWED TO KEEP THE EXISTING IMPERVIOUS SURFACE AREA.

SECTION 232-586 (1) (b): A VARIANCE IS REQUESTED FROM THE REQUIRED AISLE WIDTHS PERCENT. DUE TO THE CONSTRAINTS OF THE EXISTING SITE LAYOUT, THE EXISTING IMPERVIOUS SURFACE COVERAGE IS 79.95%. THE APPLICANT IS REQUESTING THAT THEY BE ALLOWED TO USE THE PARKING LAYOUT AS SHOWN ON THIS PLAN INCLUDING THE NON-CONFORMING AISLE WIDTHS.

BEFORE YOU DIG ANYWHERE



STOP! CALL 1-800-242-1778

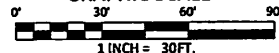
PA LAW REQUIRES A MINIMUM 48 HOURS NOTICE FOR CONSTRUCTION PHASE AND 10 WORKING DAYS NOTICE IN RECORD OFFICE PENNSYLVANIA ONE CALL SYSTEM, INC. ALL READING, PRINTING AND SHARING SHALL BE IN EXACT ACCORDANCE WITH OTHER STANDARDS

PARKING SPACE BREAKDOWN

NUMBER OF SPACES FOR AUTOS FOR SALE:	30 SPACES
NUMBER OF SPACES FOR EMPLOYEES:	3 SPACES
NUMBER OF SPACES FOR CUSTOMERS:	18 SPACES (INCLUDING 1 HANDICAP SPACE)

* TOTAL LOT AREA DESIGNATED TO AUTO SALES - 7,771 SQ. FT.
SECTION 232-586 (1) (3) FOR REQUIRES 1 SPACE PER 1,000 SQ. FT. OF LOT AREA

GRAPHIC SCALE



OWNER OF RECORD
S P 3133 LINCOLN HIGHWAY LLC
8001 CASTOR AVENUE
PHILADELPHIA, PA. 19152

BRIAN T. YORKIEWICZ PROFESSIONAL LAND SURVEYOR PA LICENSE NO. SU075193	VARIANCE PLAN 3133 LINCOLN HIGHWAY BENSALEM TOWNSHIP 1807-0000 2-1-34 100% SURVEY STEVEN FOX	DRAWN BY: RTY DATE: 9/22/14 SCALE: 1"=30' PROJECT NO: 040-2-34-14 SHEET NO: 1 OF 1
	BUCKS COUNTY PENNSYLVANIA	
	ACCU-LAND SURVEYORS Boundary Surveys • Property Surveys • Construction Layouts • Subdivisions P.O. Box 10211 Langhorne, PA 19034 • 215-335-1878 • www.accu-land.com	

